THE COURTS.

Alleged Perjury of a Bondsmen-The Conviction of Talbot Sustained-Charge of Smuggling and Important Decision-Irregular Petitions in Bankruptcy-Business Before the United States Grand Jury-The General Sessions.

UNITED STATES SUPREME COURT.

The Suit Between Mowry and Whitney, in re the Patent Rights and Priviles es for the Manufacture of Car Wheels. WASHINGTON, D. C., March 29, 1872.

No. 148. Mowry vs. Whitney-Appeal from the Circuit Court for the Southern D'strict of Ohio. This cause was referred to in the statement of case 147, between the same partie, given yesterday. That was an action brought ir, the Circuit Court for the Eastern District of Penr, sylvanta to enjoin the further prosecution of this sait, which was brought

further prosecution of this anit, which was brought by Whitney to restrain Mowry from an alleged infingement of a patent franted to Whitney in 1848, and extended in 1862, for a process prolonging the time of cooling, in connection with annealing castron car wheels.

The defence was that the process was not new, and that the appellant had not adopted it in his mode of cooling cast from wheels. The decree was for the complement, and that not adopted it in his mode of cooling cast from wheels. The decree was for the complement, and the case being referred to a Master for an account the sum reported in lavor of Whitney by that officer was about one hundred and twenty shousand dollars. It is here insisted that the Court erred in noiding that Whitney's putent is protected against pitor annealing processes, because former processes were confined to "unchilded articles," and also in deciding that the appellant's process was an infringement of "unchilded articles," and also in deciding that the appellant's process was an infringement of the patent, when they were, in point of fact, essentially different, one cools by placing the wheel in a cooler and the other in a net chamber. The patent of Whitney is said to be invanid because there is no novelty in it. It is simply the application of a process well known to a purpose analogous to purposes to which it had been applied long anterior to the alleged invention. It is not useful, as the process would destroy the hardness of the rim for chill of the wheels, and thus detract from their durability. It is in ther contended that the Court erred, in apportioning the profit of Mowry by the alleged infringement, and in overruling the exception taken to the report of the Master. C. B. Colher and A. G. Thurman for applicant; H. Baldwin, Jr., E. W. Stoughton and B. R. Curtis for appelice.

UNITED STATES CIRCUIT COURT. Motions in Arrest of Judgment-Criminal Business. Before Judge Benedict.

Judge Benedict sat yesterday and heard some motione in arrest of judgment upon prisoners who had been convicted before him in the recent term of the court. ALLEGED PERJURY.

In the case of James S. Woodhouse, who had been found guilty of perjury in swearing in an affidavit made before Commissioner Osborn that he owned certain lands in Brooklyn, when, as the evi ace showed, he had no right or title whatever to the property, Mr. Charles S. Spencer, counsel for the defendant, moved an arrest of judgment on the the defendant, moved an arrest of judgment on the ground that the original papers in the case were not sufficiently specific to coafer jurisdiction on the magistrate. The papers merely followed the verolage of a statute of Congress without stating a single fact, and some fact should be stated to show that an offence had been committed.

Mr. Davies, United States Assistant District Attorney, maintained that the affidavit was sufficient for every legal purpose.

The Judge took the papers, and reserved his decimion.

The Judge took the papers, and reserved his decusion.

A SMUGGLING CASE.

In the case of John Taibot, who had been convicted of smuggling, a motion was made in arrest of judgment on the ground that the indictment was bad. The Judge rendered a brief decision, sustaining the indictment.

SMUGGLING GOLD WATCHES FROM EUROFE—IMPORTANT QUESTION OF JURISPICTION.

Charles Marxsen had been found guilty on an indictment charging him with having samuggled several gold watches into this port from Europe. His counse, Mr. Samuel C, Courtney and Mr. B. F. Russen, argued a motion for arrest of judgment on the ground that the indictment was bad for several reasons. Yesterday Judge Benedlet rendered his decision, maintaining that the indictment was good in law. His Honor said ne did not touch the question of jurisdiction, as Mr. Courtney had informed into that the would hand in a brief in relation to that matter.

Mr. Courtney new submitted the brief in question.

Mr. Courtney new submitted the brief in question.

of jurisdiction, as Mr. Couriney had informed fifm that he would hand in a brief in relation to that matter.

Mr. Courtney now submitted the brief in question, contending that samugging and clandestine; introducing into meant conceanment, secreey, fraud. The defendant was induced for smugging, and counsel claimed that the Circuit Court of the Southern district of New York has no jurisdiction of the offence under the stature. The goods must have been smuggled or clandestine; introduced into the United States and have been subject to duty by law, and which should have been invoiced, without paying or accounting for the duties, &c. Where was the invoice to be shown or made, or where were the duties to be shown or made, or where were the duties to be shown or made, or where were the duties to be shown or made, or where were the state in case of a government inspector. The goods were laken in case of a government inform the custorly of the defendant there. It hay offence were compitted he committed it in Jersey City, State of New Jersey. All the form and paraphernalia of bringing the goods to New York after being taken from the defendant cannox after the meaning of the statute. The further provisions of the statute show that all the violations of the same must be committed on hand, that is invoicing without paybeing taken from the defendant cannot after the meaning of the statute. The further provisions of the statute show that all the violations of the same must be committed on land, that is invoicing without paying or accounting for the duties, passing or attempting to pass through the custom housefaise invoices. All things detailed in the evidence show that any violation of law under the indictment was committed in the State of New Jersey. There is a great distinction between criminal and civil proceedings—the former must be pursued strictly according to the letter of the law; an offence committed within the United States must be pursued strictly according to the letter of the law; an offence committed within the United States must be tried in the State and judicial district within which it was committed. If the Court can possibly hold that this is an indictment for importing, then this offence was first committed in the Eastern District of New York, where the steamer first touched the United States—viz., Sandy Hook—or second, at Jersey City, at the dock. If the Court holds, as it must under the indictment, that the offence was in smuggling and clangesthey introducing into the United States, &c., the offence was committed on land, on the dock at Jersey City, where all power and control over the goods was taken from the defendant. The Court had no jurisdiction and judgment must be arrested.

Mr. Courtney concluded by observing that the question was a nice one and he had no doubt his Honor would look closely that R.

Judge Benedict said he would do so, and as he understood there would be a motion made before him for the purpose of postponing the passing of centence upon Marxson, time comment, observed that a brief, embraching the views of the posecution on the subject, would be handed to His Honor.

It is understood there would be a motion made before that a brief, embraching the views of the posecution on the subject, would be handed to His Honor.

It is understood that a civil suit has been commenced in the United

UNITED STATES DISTRICT COURT -IN BANKSUPTCY. Jerezular Petitions.

Yesterday Judge Blatchford rendered a decision in the case of John Walsh, a bankrupt. Walsh filed a voluntary petition on the 27th of June, 1870. This petition was referred to Mr. Henry Whiter Anch, one of the registers, who made an adjudication. At the first meeting of creditors an assignee was chosen. During the pendency of this petition waisn filed another petition setting form the same Geous and the same creditors as mentioned in the first petition. The Register holes in view of these facts that the second petition is irregular, and Judge Bisteriora upholds the Register's decisionias correct. pedition was referred to Mr. Henry Wilder Allen,

The Eowing Green Savings Each.

A statement has appeared in one or more of
the city papers that the money offered by Hank Smith to the Depositors' investigating Committee of the Bewling Green Savings Bank has been accepted by the United States District Court. The statement

has no foundation in fact.

To-day Judge Biatenford will hear an argument on a motion to punish Mr. Shephera Enaph, the receiver of the Bowing Green Saviors Bank, for salleges centempt in refusing to allow access to the books of the bank.

UNITED STATES COMMISSIONERS' COURT.

Alleged Pension Fraud.

Before Commissioner Shields. The Daited States vs. Francis Heim.-Francis Hei in wast held for examination yesterday on a charge of having presented faise venchers to the seco of Auctior of the Treasury, for the purpose, as allege to or gletrauding the government out of pension a water that was not due.

The United States Grand Jury. Very torellable and passessworthy statements have been timade public with regard to the action of the United States Grand Jury. Those statements

are to the er Wet of old whiskey cases which were instituted by exthey have found indictments against a number of

That the Grand J. Wy have not investigated charges of corruption again. A Custom Rouse officials; that through influence of Trends of the administration old whiskey sitts have been before the Grand Jary for the purpose of evad. Of the investigation called

for by Judge Blatchford in his charge regarding micial corruption.

That the Grand Jury have heard testimony against we prominent persons who held office under the income administration, implicating them in those based whiches trade.

That the Grand Jury have heard testimony against two prominent persons who held office under the Lincoin administration, implicating them in those alleged whiskey trands.

All these assertions are the merest rumor and the wildest speculation. The Grand Jury is a body sworn to secreey. It conducts its proceedings in secret, and any statement purporting to give what has transuited in the Grand Jury room must be received with a considerable grain of caution. When the Grand Jury come into Court and flie the indictments they have found we shall then, and not till then, be in a position to know the exact truth. The officials of the United states District Attorney's office deny that the Grand Jury have been improperly diverted from the examination of cases of official corruption.

COURT OF GENERAL SESSIONS.

Reavy, the Indicted Lawyer, Risch to Explain-Conviction of a Horne, Thief. Before Recorder Hackett.

It will be remembered at the adjournmen of the Court on Thursday John M. Van Housten was on trial charged with stealing a horse and wagon from William C. Spears, and when the evidence was all in Alexander H. Reavy, the counsel for the prisoner, was arrested upon an indictment charging him with torgery in the first degree. The summing up of the case was postponed till yesterday morning. Before the counsel, Reavy, proceeded to address the jury for Van Housen he made a statement to the court relative to the charge affirming that he drew a deed for Mrs. Taylor in layor of George H. Thomas, and not to himself (Reavy, converting a house and lot in Forty-thrd street, for which professional service he received \$10.

The case of Van Housen was then resamed and resulted in his conviction. He was sentenced to the State Prison for five years. dence was all in Alexander H. Reavy, the counsel

COURT OF APPEALS CALENDAR.

The following is the Court of Appeals day calendar for April 1:—Nos. 162, 14, 123, 118, 101, 161, 105, 0, 7, 211.

MIDNIGHT AFFRAY.

Fatally Beaten with a Club-Slightly Mixed

and comewhat Mysterious.
On the 16th instant a shoemaker, twenty-one years of age, suffering from a scalp wound and perhaps concussion of the brain, was admitted to Believue Hospital under the name of William Mansfield, and placed under the care of Surgeon Ramsey. It was apparent at that time Mansfield had been drinking to excess, and it was then stated he had been beaten on the head with a club during a drunken brawl foot of Nineteenth street, East River. Subsequently some parties appeared at the hospital and inquired for Robert J. Higgins, whom they said had been missing from his home for several days, and feared he had met with some accident. Warden Brennan gave the parties permission to provided them with an escort. Nothing satisfactory was discovered till reaching the bedside of Mans-field, when they instantly recognized him as Robert J. Higgins, the friend for whom they had been looking. Why the patient, or some one for him, gave a assumed name remains to be explained; but this is assumed name remains to be explained; but this is not the only mystery connected with the case. In a conversation with his friends Higgins said that instead of receiving his injuries over on the east side of the city, as at first reported, alleged that he had been in a grunken fight, corner of Forty-nimit street and Eighth aveaue, and that after being terriony beaten over the head, his assailants dragged him into a lumber yard near by, and, being linematic from what he had drank and the bearing, lay there all night, and next morning was taken to the hospital. The relatives of Higgins urged him to make a statement, giving the circumstances under which he was beaten and by whom; but this, for reasons best known to himself, he peremptorily refused to do. As a consequence, the assailants are unknown, and the police seem to have no clue upon which to work. Higgins remained under the care of Surgeon Ramsey Illi yesterlay morning, when death ensued from pyemia. Whether decased had compression of the brain or fracture of the skuil remains to be determined by a post-mortem examination, which will be made on the body to-day by Wooster Beach, M. D. Coroner Reenan will make an investigation when the case shall have been properly worked up.

The Capitain of the Twenty-second precinct having been notified, will make vigilant efforts to clear up the mystery by arresting the guilty parties, but it may prove a difficult matter.

Deceased lived in Classon avenue, Brooklyn, whicher the relatives are in great haste to remove the remains for luterment. not the only mystery connected with the case. In a

An explanation of the "strange proceeding" in the York ville Police Court, on Thursday afternoon, has been given. The lady who was committed is the proprietress of a fashionable boarding house in the Nineteenth ward, while the complainant was one of Nineteenth ward, while the complatnant was one of her boarders, whose trunks, containing valuable ciothing, she endeavored to retain in payment of board and lodging. When ordered by Justice Conter to gave up fine trunks she conducted nerself in such an undignified manner that she was committed for contempt. After an imprisonment of an hour or so she was set free on condition that she would have no further trouble with the complainant. It will be seen, therefore, that there was no mystery in the case, only a signt inclination to be disobliging on the part of the court officials. It is noped Mr. Green will hurry up and pay them, when they will probably be a little more gracious.

TO THE EDITOR OF THE HERALD'-

In your editorial this morning upon the above gies of the people in Australia "are still hampered, to the prejudice of the public interests, by the whims and caprices of an Executive directed from the far distant European centre in London," Haying passed many years of my life in Australia I feel more than an interest in that part of the world. and, reading the above, I turned with some anxiety to see what the news could be that had drawn forth such a remark. I read and re-read the Herallo's anything to which I can Imagine your reference to be directed, unless it be to the difficulty that has arisen between two of the colonies-Victoria and New South Wales-upon the subject of customs duties. Upon this allow me to offer some remarks. The Australian colonies are as free from Downing street rule as any portion of the British Empire. They suffer no direction whatever from any European centre, in any way, upon any subject of taxation, internal or external. They have absolute control of their own destinies in all matters per-taining to their own government. Great Britain has no more part in the levying of taxes, or in de fining what taxes shall and what shall not be levied, than she has in electing the Mayor of Melievied, than she has in diccoing the Mayor of Meljustly be held responsible for any difficulty which
may arise between any of the colonies upon that
score. England has learned the lesson, and profited
by it, too, that a wast empire cannot be governed
from one centre in all these matters of detait; and,
if I mistake not, the United States, even with a
more compact empire, will one day have to learn it
also. Here is a profitable and suggestive topic for
speculation. But I avoid the temptation in order
to give you a note of history. In the earlier days of
gold mining in Victoria it was found that numerous
articles upon which import duties were levide
crossed the border into New South Wales and vice
tersa. Both colonies desired to stop this, but to
institute a Customs police along the furrary fiver
and the subsequent boundary line would have cost
more than all the duties many times told. Hence
arose the first suggestion for a Colonial Confederation, which utilimately widehed into a proposal for
such a union as would pravite a uniform system
for regulating the customs. Post Office, telegraphs
and international railways. At the moment when
this proposal was being most actively discussed
Churles Gavan Duffy began his public career in
Meibourne, and he took up the pian with much
zeat. Since then it has occupied more attention,
and if international conferences, public meetings,
newspaper articles and private discussions could
together have brought about the confederation it
would have been consummated many years ago.
But difficulties have arisen, one after another. At
last it was decided to waive the collection of customs on the border, mon the assumption that, considering the intimate relations of the people between victoria and New South Wales, it would be
sufficient that imported goods had paid a duty at
the port of catry. The Legistative Assembly of
New South wales almost unanimously endorsed
this view; but the Ministry, acting the the face of
the win of Parlament, resolved to collect the dulies. The Ass bourne. The British government therefore cannot justly be held responsible for any difficulty which

this, I am, your fathfully.

A New Crustacean.—A letter from Professor Assetz, with the Hassier expedition, to Professor Pierce, of Cambridge, announces that Agassiz's deep-sea soundings have brought to the suciace a new crustacean, which seems to stand outside of all previous classifications. This creature the Professor believes to be related to the tribottes of the carton derous era, and possibly a link in the missing connection between the past and present. The new crashedga also belps to fulfit some of the predictions which the great paturalist made before saling.—Loscot Journal, March 25.

DUTCH HEINRICHS.

Opening of the Trial of Henry Newman, Alias "Dutch Heinrichs," the Great Bond Robber-A Brief History of His Career and Exploit:-The Prosecution-The Trial To De Resumed This Morning.

Yesterday Henry Newman, allas Edward Ryan and also better known as the no'torious "Dutch Heinrichs," was placed at the bar-of the General Sessions, Recorder Hackett presiding, to answer the CHARGE OF GRAND LAP.CENY,

he having, as alleged, on February 14, 1872, in com-pany with a confederate, stolen a tin box containing thirty-three \$1,000 first mortgage bonds of the New London and Appleton Railroad and a promis-sory note for \$14,000, for which the bonds were neld as collateral security, from the office of J. S. Kennedy & Co., bankers, corner of Cedar and William

This same "Dutch Heinrichs" has the reputation of being one of

extant, or that has ever figured in the annals of crime. His exploits in the line of this profession would, if properly detailed, fill many volumes; in fact, a more bold, ingenious and singularly successful criminal has rarely appeared. The results of his operations are estimated by some to have amounted to over one million dollars, which does not include to over the "little" transaction Rugs.

the "little" transaction Rugs.

one Million Seven Hundred and Fifty Thousand Dollars in United States Houds.

Sand Dollars in United States Houds.

The after career.

of various denominations were stolen, it is alleged, by "Dutch" and two confederates. His after career is noted for any quantity of transactions, in which amounts ranging from \$5,000 to \$50,000 were, it is asserted, stolen, generally in broad daylight, from bank vaults or snatched from the hands of messen-gers or others in our most crowded thoroughfares. APPEARANCE OF THE PRISONER.

"Henry Newman," called out the Clerk of the Court, and immediately after a medium-sized, well knit man, with wandering, shrewd black eyes and a

A MOST PRONOUNCED JEWISH CAST of countenance, with a snuffling galt, stepped from the prisoner's box and took a seat pointed out to him at the bar. Newman's appearance, taken for all in all, is not calculated to prepossess the beholder favorably. He has a black mustache, which tongue. While waiting for the proceedings to be commenced he occupied himself with occasional glances at the Recorder, the jurors, counsel and the reporters. Messrs. William F. Howe and ex-Re-corder Smith appeared for the accused, while Colonel Fellows occupied the District Attorney's place and prosecuted for the people. Some time was spent in getting an unbiased jury, but after this difficulty had been overcome, it was at the request of the jury, through the District Attorney, agreed to take

a recess for twenty minutes.

A JURGE CHALLENGED.

The Court reassembled at a quarter-past two o'clock. At that time Mr. Howe stated he would like to question the seventh juror, who, he under-stood, was a member of the Board of Frokers. He had no objection to the juror personally, but to do

stood, was a member of the Board of Frokers. He had no objection to the juror personally, but to do justice to his client he was bound to be somewhat punctilions.

The juror satisfied the counsel by affirming that he had now no connection with the New York Stock Exchange. He was therefore retained.

CASE FOR THE PROSECUTION.

Colonel Fellows opened for the people. He stated the accused was on that for a second offence, he having been convicted before City Judgo Russel, in May, 1880. Mr. Fellows was in the act of reading from the record the trial and conviction of the prisoner under the name of Ryan, with a "pull named Grawford, upon a charge of watch stealing, when he was interrupted by the defence, who objected to the reading. Objection was overruied, and the record was put in evidence.

THE TESTIMONY.

Officer Ferre was the first winess called for the people. The witness testified he was a witness in the case of Edward Ryan at the time of the latter's conviction before Judge Russel; he recognized the prisoner at the bar as the man who was convicted under the name of Ryan; he was charged with stealing a gold watch from George Whitworth and sent to the State Prison for two years.

Abraham Heynoids, who in 1860 was cierk for the Westenester Stove Works Company, testified—I hey had a contract at tae Sing Sing Frison, and his (the witness) impression was that he saw the prisoner there as a convict, but he might possibly be mistaken.

Hawley Adams, the superintendent of the stove company, testified that there was a convict in the

there as a convict, but he might possibly be mistaken.
Hawley Adams, the superintendent of the stove
company, testified that there was a convict in the
prison at Sing Sing named Edward Road, but he
could not say that the prisoner was the mas.
Mr. Fellows said that he would proceed to prove
the specific charge in the indictment, and called
flenty M. Baker, who said:—I am a member of the
flym of J. S. Kennedy & Co., bankers, at 41 Cedar
street; on the 15th of January last thirtythree \$1,000 bonds of the Appleton and New
London Railroad Company and a promissory note
signed by A. F. Smith for \$14,913 45, given as collateral security for the bonds, were stolen from a
tin box which lay on a table of my private office;
the bonds were numbered 365 to 307; their market
value was about eighty cents on the dollar! A. F.
Smith was the owner of them; I had just brought
the boy from the Store Evchange and placed it on the bonds were humbered 305 to 397; their market value was about eighty cents on the dollar? A. F. Smith was the owner of them; I had just brought the box from the Stock Exchange and placed it on my table in the neighborhood of eleven o'clock in the morning; shortly afterward a man came in the morning; shortly afterward a man came in and engaged me in conversation in regard to purchasing rallway bonds; as I was talking with him I saw another man in the background, who said nothings to me nor I to him; atterwards I walked up to my table, procured a pamphiet about bonds and handed it to the first gentleman who came in; the other one wasked up to the table and took one oif, and stood in the middle of the floor, reading it; he was holding a piece of oiled silk on his thumb or finger, a piece of which I how produce; in a few minutes they leit, and the piece of oiled silk was found lying in front of the box; about five or ten minutes after they went out I discovered the loss of the abovenimed bonds; the pamphiets were beside the box; my back was turned once, when I went with the other man to show him a railway map that was nauging on the wall; there had not been any person in the office between the time I unlocked the box containing the securities until the men came in, and no one entered after they left before I discovered the loss; I am positive that the prisoner, Henry Newman, is the man who had the oiled silk on his finger.

Cross-examined by Mr. Howe—He did not go to Pinkerton's detective agency relative to the larceny, nor to the Police Headquarters; engaged a private

covered the loss; I am positive that the prisoner, Henry Newman, is the man who had the oiled silk on his finger.

Cross-examined by Mr. Howe—He did not go to Pinkerion's detective agency relative to the larceny, nor to the Police Headquarters; engaged a private detective named Molloy, at the suggestion of a bankers' firm in Wall street, who he learned was in some way connected in business with Detective Sampson, then in Europe; Munoy told witness that a man named "Dutch Hearlin" stole the bonds; this was perhaps two weeks prior to the arrest of the decendant; he did not mention any other names; witness gave a description to Mulloy of the prisoner polore he (the detective) mentioned his hame, staining that the acconsed had back hair and a mustache, but could not now give further details; the prisoner was not pointed out to the witness by any one, and he saw him in Justice Hogan's private examination room; notating was said in the latery view with Mulloy about compensation for his services, but witness wondered that he had not sent in his bill before this time; my office is between the office of the confidential cierk and that of Mr. Kennedy; probably from ten to hity persons come into our office every day; I do not know that these men came in together, but they went out together; it may have been twenty minutes after they left that I discovered the loss of the bonds; I went to the opposite side of the room when I showed the man the map.

Waiter G. Oakman, the confidential cierk of J. S. Konnedy & Co., was the next witness. He testified that on the 16th of January lask, between the hours of eleven and tweive o'clock, he saw a man in conversation with Mr. Baker, and another man standing at the door of communication between the office of the witness and Mr. Baker's office, whom he recognized as the prisoner. The witness, heard of the condition to the fine of the witness and Mr. Baker's office, and when he saw the prisoner pass out he observed a piece of olicid sik on his finger.

Recorner Smith cross-examined this

introduce to establish an alib.

THE DEFENCE.

Mr. Howe opened the case for the defence, stating that he would show by respectable witnesses that on the day in which it was said this robbery took place the prisoner was in Pauladelphia, and did not return to New York thi evening. The counsel admitted that the antecedents of his chent were bad, but affirmed for the past two years he had led an honest life. Mr. Howe asserted that a detective, Mailoy, who had a spite against Newman, effected his arrest. As it was beyond the hour of adjournment when the counset finished his opening, the Court ad-journed thi this morning at ten o'clock.

OBITUARY.

Prince Paul Gagarine

Prince Paul Gagarine, a famous Russian celebrity, has just departed from this world. Prince Gap arine was one of the most devoted servants of the Russian government, and one of the flercest opponents of every radical political reform movement in that country. Whenever there was a political trial to take place the Prince was sure to be appointed either judge or procurator. In 1825, when the great trial of the so-called "December Men" took place, and when five of the richest Russian noblemen were Prince Gagarine was the Chief Cierk of the High Tri-bunat constituted for that purpose. In 1849, when some thirty others were con-demned to be shot or sent to Siberia for having discussed at their meetings the European events and "men of 1843," Prince Gagarine was the President of the tribunal of judgment. service. He died a President of the Committee of

was the Fresident of the tribunal or Judgment. The Prince had no less than sixty-eight years' public service. He died a President of the Committee of Ministers, a Pre ident of the Committee for Cancasian Affairs and a President of the Committee for Polish Affairs. He was besides a member of the Council of the Russian Empire and of the Central Committee for the Affairs of the Peasantry.

Frince Paul Gagarine entered the service of the Caar on the 1st of February, 1804, and commenced his ministry career. In 1806 he was already side-desamp to Field Marshal Prince Prosorovsky. As was the custom at the beginning of this century the Prince added to his grade of officer the title of Gentleman of the Chamber, which at that time gave one the right to the rank (civil) of Councilior of State, it was while in this position that he passed into the civil service, and after having been for some time attached to the Procureur General of the departments of the Senate held at Moscow was raised to the post of Procureur General of the departments in 1819, he was promoted to the Dosition of an actual Councillor of State, which permitted him, in 1803, to make a jubilee in commemoration of an actual Councillor of State, which permitted him, in 1803, to make a jubilee in commemoration of an actual Councillor of State, which permitted him, in 1803, to make a jubilee in commemoration of an actual Councillor of State, which permitted him, in 1803, to make a jubilee in commemoration of an actual Councillor of State, which permitted him, in 1803, to make a jubilee in commemoration of an actual Councillor of State, which permitted him, in 1803, to make a jubilee in commemoration of an actual Councillor of State, which may actual the highest and the morning and the second class. At the same imperation, the highest actual prince Paul Gagarine Played in the rank of Procureur General, in the dispositions which, in November, For the services which he rendered in this spooth Prince Gagarine precised the base of the Order of St. Councillor of the

Humphrey Harshall. in Louisville, Ky., about two o'clock on Thursday afternoon, of pneumonia and bronchitis. Mr. Marshall was born at Frankfore, Ky., January 13, 1812. His father was Judge John J. Marshall, of Louisville, a nephew of Chief Justice Marshall. Judge Marshall was educated at Princeton, N. J., where he took the first honors of his class. Colonel Marshall's grandmother was sister to Chief Justice Marshall, so that he had in his veins all the blood of the Marshalls his mother was the only sister of James G. Birney, many years ago the candidate of the 'diberty party' for President of the United States, Colonel Marshall graduated at West Point in 1832. He graduated in June and started immediately for Wisconsin, where he served as heutemant-under General Scott in the Black Hawk war. After the close of the campaign he resigned, went to Tennessee and got married, and in 1833 was admitted to the bar. In 1834 he settled at Louisville and practised law there ever since, except so far as he has been interrupted by public employments. In 1836 he raised a company of volunteers to go to the Sabine and protect our frontier, but General Houston's victory at San Jacino rendered the march of the troops' unnecessary, and they were discanded. In 1846 Mr. Marshall was appointed by the Governor of Kentucky coincil of a regiment of cavalry to go to Mexico. He served under General Taylor, and was at the battle of Buena Vista. Colonel Marshall marched his regiment by land from Memphis, Tenn., to Satillio, in Mexico. He started in July and arrived at Camarro about the 1st of November. Colonel Marshall shared freely in all the fatigues and cifficulties of the expedition. In 1847 he returned to his farm in Henry county, Kentucky, and was elected to Congress by the whigs in 1849. He was a very active supporter of the compromise measures. In 1851 he was refered to the House of Representatives. In His mother was the only sister of James G. Birney, gress by the whigs in 1843. He was a very active supporter of the compromise measures. In 1851 he was re-elected to the House of Representatives. In 1852 he was appointed Minister to China and resigned his seat in Congress. In 1854 he was recalled from this mission by President Fierce. He was again elected to Congress by the Know Nothings by a majority of upwards of 2,500. Colonel Marshall was a corpulent man, with a rosy, open countenance and a highly intellectual expression. Notwithstanding his great size he was a man of very active temperament. A journalist in the South said of him after the Union war, "Humphrey Marshall has thrown aside his sword—which he never used to any advantage—and opened a law office in Ritchmond, Va."

The death of Mr. Alexander White, the well known art collector, is announced from Chicago. Only a few months ago the valuable collection or paintings which he had brought together with infinite pains was sold under the hammer in order to make good the losses sustained in the Chicago fire.

Mr. White had returned to his home and was busily employed rebuilding his piaces of business and setting his affairs in order, when he was struck down with paralysis of the heart. His death was most unexpected, as up to a few days previous to his decease he was in the enjoyment of vigorous health. Mr. White was a native of Scotland, but came to this country at an early age. By energy and industry he succeeded in amassing considerable wealth, which enabled him to surround himself with those treasures of art which ho prized most for their refining influence. At the time of his decease he was actively engaged preparing plans for the restoration of the Chicago Academy of besign, and the establishment of a free public gallery of art in connection with the Free Labrary. In Mr. White art has lost a generous and intelligent parrich, and Onleago an enterprising and honored citizen. nite pains was sold under the hammer in order to

Garcia, the Gambler. There has just died in great wretchedness at Geneva, Sefior Garcia, one who, in the annals of those who make haste to become rich by gambling, held a conspicuous place. Garcia, the hero of several seasons at Baden and Homburg, was a scion of a good Spanish family, and was born at Saragossa, in 1930, and had some little formne left Saragossa, in 1930, and had some little fortune left him, which he immediately lost at the gaming table. He turned up in France in 1853, about which time he became possessed by inheritance of a smail property, realizing about 12,000 tranes. This was the nucleus of the enormous fortune that he won at ecarte, at baccarat and trente et quarante. He possessed at one time \$100,000, which he won entirely by gaming. He left France at the time of the Calzado aflair, and the "difficulty" with the Duke of Grammont-Caderousse. He lived afterwards at Baden, where he loss all he possessed, and at Monaco, where he became water in a care. He has died in a wretched lodging in Geneva, leaving barely sufficient to pay for his interment. He shuffled off this mortal coil leaving in his largeed pockets five francs, the lowest state allowed at rouge et noir.

George Storey, "Master of the Hant." The sportsmen of the North Riding of county Tipperary, Ireland, have just lost one of the most popular "masters" that ever led on the Ormond Hunt, Captain George Storey, Borrisokane, an Hunt. Captain George Storey, Borrisokane, an officer in the Tipperary Millida, has succumbed to a long and painful libress. He had to resign the mastership of the hunt about eighteen months ago, when the club, to destify turn sense of his worth, made hun a most valuable presentation of silver. Captain Storey was a genuine character as a sporting gentleman and an amiable and accomplished man in general society.

General Paul Applebach. General Paul Appplebach died at his residence in

sucks county, Pennsylvania, on the 21st of March. He was fify-five years of age and had spent his which he ended his career. He was a perfect type of the Pennsylvania gentleman-warm-hearted

cental and b spitable; always ready, both with a purse an his induced, to assist when assistance was d selred, and to encourage when there was dan of faltering. Through his hie the General was was of this induction, to assist when assistance a selfed, and to encourage when there was dance of faltering. Through his his the General was connected with the democratic party and warmily attached to its principles, and his character and power as a public man were recognized throughout the State.

Warner L. Underwood.

Warner L. Underwood, of Bowling Green, Ky.,
a distinguished citizen, has just died there, in
the sixty-sixth year of his age. He represented his district several times in Congress, and subsequently held a commission to Europe. Ar. Underwood was a lawyer by profession, a pleasing orator and a good, kindly neighbor and triend.

william G. Broadfoot.

William G. Broadfoot.

William Gillies Broadfoot, one of the oldest residents of Fayetteville, N. C., died in that sown on the 18th of March. He was carried off by an attack of pneumonia. Mr. Broadfoot was in the sixty-seventh year of his age. He was a native of Amelia county, Virginia, but removed to Fayetteville ounty, Virginia, but removed to Fayetteville ounty, Virginia, but removed to Fayetteville as the banking business about forty years. About the year 1832 he was in the Branch Bank of the United States at Fayetteville as teller. When the United States Bank was closed he entered the Bank of the State in the same position and remained an official in that bank until the Bank of Fayetteville was organized, about 1849, when he became its cashier, and so continued until it closed business, soon after the war. He was then cashier in the broker office of P. A. Wiley & Co, and their successors up to the organization of the Fayetteville National Bank over a year ago, when he became its cashier, and so remained until his death. He was also United States Pension Agent for many years, up to 1861, and was depositary for the Confederate States during the war. Early in life he married a daugnter of the iste Ichapod Wetmore. His father was a native of Scotland, and settled in Potersburg, Va, at the age of thirteen years.

Samuel Brooks died at the residence of his son-inaw, ex-Mayor Abbott, in Concord, N. H., on Friday, law, ex-Mayor Abbott, in Concord, N. H., on Friday, March 22, in the seventy-seventh year of his age. He was a native of Charlestown, Mass., where he spent the larger portion of his life. He was a native by trade, and worked at that business many years. He afterwards moved to Warner, where he purchased and successfully carried on a farm; but after the marriage of his only child to Mayor Abbott he went there to reside. He was a man of marked character, of decided opinions, of frank, genial and gindly manners and of stern integrity.

Daciel M. Smith.

Daniel M. Smith, who gled recently in Lemp ster, N. H., was a very worthy and widely sete, N. 12, was a very worthy and when setteemed citizen. In early life he was a successfu school teacher. He held various offices of trust in his town, and was County Treasurer, a member of both branches of the Legislature, and of the Governor's Council.

William Saunders. death of Captain Whiliam Saunders. Captain Saunders served his country in the war of 1812 as a captain of volunteers. He was born near Charleston, and had been living in Anderson forty-five

the manufacturing interest of Greenville county, South Carolina, died about half-past six o'clock P. M. on March 18, at his residence, a few miles from Greenville, after a lingering illness. He was the founder of the Batesville Factory, and his knowledge of mechanics and machinery, largely intuitive, rendered him prominent and successful. He was eighty years of age.

RAPID TRANSIT.

TO THE EDITOR OF THE HERALD:-

How much longer will this most pressing neces sity of the time be delayed? So many public benefactors, so much legislation and inventive ingenuity, both in plans for construction and organization, and as yet no practical result.

Chambers street seems hitherto to have been the only starting point of every projected scheme, and none seem to have passed that point. Suppose a new departure is made, and we make a starting point from the middle of Westchester county, among some of the beautiful and picturesque vil-lages and lakes in that vicinity, where so many resdents of New York have country seats, and many more would reside if furnished with means of rapid transportation. Take, for instance, some one of the projected ratiways struggling for existence through Westchester country, continue it to the Hariem River, depressing it at street and road crossings, or carrying it by viaduct over the street—here would be a railway which, thus constructed, would obtain its right of way through the southern and most valuable lands of West-chester at a comparatively nominal cost, and would be patromzed much better than any of the railways crossing at grade; the saving in cost of right of way would more than pay the additional cost in construction. Such a railway tapping the Northern travel and passing in the most practically direct line to New York, running throngs the rich and picturesque country between the Harlem Radroad and the Danbury and Norwalk Radroad, constructed on this principle to the Harlem River, may cross the river either by bridge or tunnel, and the funds and influence necessary to advance its

works through the city on a system of vaduate or subterranean railway—being from its incipiency practically a rapic transit railway.

What is wanted by the public of a cheap and rapid method of transportation from end to end of the island in comfortable vehicles drawn by steam, one of the city of the commodate in rough and way travel the railway must be wide enough to admit of at least lour tracks; the roadway must be perfectly safe, of sundent capacity, in the proadest sense of the term, and it is absolutely essential that it be in a wholesome atmosphere. Whatever plan may be proposed which does not combine these essentials is not what is wanted by the people, and will in all proadsility not procure the capital necessary for its construction, rasas fatements of militons being outered to the contary notwitistanding.

Let us examine some of the different plans, toging a strength of the different plans, toging a strength of the different plans, toging way, disregarding (for the sake of argument all the difficulties and expense attendant on driving a tunned under such a thorough incre through rock and quicksand, below the loundations of immense buildings, because we are toled that these are mere engineering difficulties, which can all be overcome with money. We must not disregard, however, the stuboron fact that these immense buildings are the property of capital which is opposed to engineering experiments under their isomastical, and here a tises one very serious proposition to this plan, which of itself is probably strong the strength of the property of capital which is opposed to engineering experiments under their isomastical, and here a tises one very serious proposition to this plan, which of itself is probably strong the continuous tunnet, the greater portion being through each of the proposition of passengers, it argue that "Young America" will not rice under the surroundaints, seen subject to a peculiar disease of the lungs, contracted in the importance of the proposition of the surroundaints, seen with v

THE WESTERN RAILBOAD WARE

Nebraska and Iowa Contesting for the 'Iron Ways" Supremacy.

Where Has Congress Authorized the Eastern Terminus of the Union Pacific Railroad To Be ?- A Deadly Foud Between the Capitalists of the Two States-Resolutions and Recommendations by the Lincoln Convention.

The following resolutions were unanimous adopted yesterday at Lincoln by the largest asset bly of representative men ever conve

We, the people of the State of Nebraska, assembled in convention, view with indignation the action of the Legislature of Iown—first, in memorializing Congress to pass laws to compet the Union Pacific Railroad to change the eastern terminus of its road and make its transfers of freights and passengers in that State, second, in passing a law prombiting all railroads now or hereafter to be constructed, having their terminus at any point on the boundary of that State, from making any transfer of reights, passengers or express matter to or with any other railroad company, either by delivering or receiving the same, at any other place than in shat State; third, in providing extraordinary and opprossive remedies for the enforcement of the previsions of such law; fourth, in coercing, by threats of legislative punishment, the railroads of flow a not an obedience to laws which are arottrary and unconstitutional, and la view of the fact that these lilegal enactments are calculated to destroy the interests of commence, and are almed at the commercial life of this Commonwealth.

Congress sanctions the omana terminus.

acteness are calcined to destroy the interests of this Commerce, and are almed at the commercial life of this Commonwealth.

Congress sanctions the omala terminus. Therefore we declare—

First—That by the several acts of Congress giving existence to the Union Pacific Railroad Company, and by the official acts and declaration of the President of the United States and chiefs of the Executive Department of the government, the eastern terminus of the Union Pacific Railroad was and remains established in Nebraska,

Second—That under those laws and acts vested rights have inured to the Union Pacific Railroad Company, causing large outlays and expenditures, and the issue of its bondes securities based upon the plain import of the law; its creditors who have loaned their money and received such securities and to the people of the State of Aebraska, who giving largely of their laines, money and credits have sought to reap the abundant harvest resulting therefrom.

Third—That no action such as is desired by the Legislature of Jowa s needed, and nether the

Third—That no action such as is desired by the Legislature of lowa s needed, and neither the Legislature nor the Executive Department of the national government can in any manner interfere to destroy the rights tous existing, but must leave all questions and controversies to be decided by the Cours on tae basis of existing laws; for an attempt to fix the eastern terminus of the Union Pacific Railroad at a point different from that now established by the laws of the United States, or effect to compel it to receive or deliver freight and passengers at a point beyond the legal terminus in another State, would be a wanton attack upon their vosted rights and an effort to impair the obligation of existing contracts.

compel it to receive or deliver freight and passed gers at a point beyond the legislature of their vested rights and an effort to impair the obligation of rights and an effort to impair the obligation of existing contracts.

Condennatory action of the Legislature of low prohibiting railroads in that state transferring freight and passengers to connecting roads, except within its limits, is an assumption of power to regulate commerce among the several States void by the constitution of the United States, vested excitatively in Congress. Under such assumed right any state in the Union could go further, and prohibit any transfer on its own soil of freight and passengers out of it. Thus the entire inter-state commerce, business and travel of the country may by factions and arotrary legislation of any State be halted at its boundary lines, compelled to submit to vexations interruptions and unjust exactions or be locally interdicted.

Fight—This unprecedented and unconstitutional action we denounce as arbitrary and arrogant, and an enfort of the Legislature of that State to aggrandize lows at the expense of her sister States and make Nebraska a mere tributary province which should not be submitted to without midginant reproof and determined opposition.

THE PREEDOM OF COMMERCE THREATENED.

Sixth—The people of this sovereigh State do solemnly protest against this unwarrantable attempt to interiere with the freedom of commerce and business of adjoining States, in the interest of the state and its cityzens; and we do hereby occlare that such legislation shall be researched to the number is never rightful and proper manner.

Securit—We respectually ask Congress, in view of this extraordinary enactment, to Consider whether any further legislation by rederal power is necessary to secure freedom to commerce among States and we call upon the Legislature of Iowa—apparently without due redection, led by the intermediate measures for the constitution and carly completion of a State setting at defance the supreme law of the pass

THE MYSTERIOUS POISONING IN BROOKLYS.

A Post-Mortem Examination-Suffocated by

Coni Gas.

The supposed mysterious poisoning of eleven persons at the residence of Coloner J. C. Jack, No. 196
Raymond street, has been the subject of more of less comment since the sad occurrence was made leas comment since the sad occurrence was made public. There were many theories as to the probable cause, some contending that the unfortunate peeple must have been poisoned by sometime in their tood, while others were of the opinion that the cause was through a derect in the pipes leading from the neater in the hasement. Yes, et al. I have ment a feeled in the pipes leading from the neater in the hasement. Yes, et al. I have ment a feeled in the pipes leading from the neater in the hasement. Yes, et al. I have ment a feeled in the hasement. Yes, et al. I have ment a feeled in his explained, the jail physician, on the body of hiss Norton, the clearly maiden who was found dead in her room at the house. Dr. Shepard was assisted, in his examination by Dr. Forbes and Coroner Jones, who is also a physician, while two brothers of the deceased, who are processors of chemistry, where present. They made a thorough examination and found all the organs in a neating condition except the lungs and these were congested. The unfortunate woman had innaired so much of the coal gas that it could be detected by the smort when the lungs were opened. They for qd, therefore, that the cause of death was aspuxin, and not from any poison taken in the food.

STRONG LANGUAGE PROM FATHER PUGEY. TO THE EDITOR OF THE HERALD:-

Permit me through the mediam of your appre cated journal to call the attention of the Rev. Father Ducey, of the Church of the Nativity, to a Father Ducey, of the Church of the Nativity, to a rather satirical remark made use of by him on last Sunday at one of the carly masses. Abjurating in a very eloquent discourse the peralicions effects of night walking and farting on the avenues, he stated that the greater portion of young people who attend enurch nowadays go for no other purpose than the aforesaid and to form acquantanees which invariably produce the most unnappy results. Agreeing with the reverend gentleman in his decumentations of so perincions a vice, why did he make use of the inelegant expression "that it would require an Irish priest with a shittenth in his hand to clear the avenues of these semi-religious nocturnal promenaders." And way an Irish priest, pray? This characteristic reference of his to the Irish priest may please the more fastidious portion of his auditors, out I doubt If it will endear him to the majority of his congregation, who are in the avenues of their native land. In conclusion I would advise the reverent father in stare to be more choice in his epithets.